

# Order

Entered: June 17, 2003

Michigan Supreme Court  
Lansing, Michigan

Maura D. Corrigan,  
Chief Justice

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Clifford W. Taylor  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

ADM File No. 2001-48

Amendment of Rule 7.217  
of the Michigan Court Rules

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On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Rule 7.217 of the Michigan Court Rules is adopted, effective September 1, 2003.

[The present language is amended as indicated below.]

Rule 7.217 Involuntary Dismissal of Cases

(A)-(C) [Unchanged.]

(D) Reinstatement. Within ~~56~~ 21 days after the date of the clerk's notice of dismissal pursuant to this rule, the appellant or plaintiff may seek relief from dismissal by showing mistake, inadvertence, or excusable neglect.

Staff Comment: The June 17, 2003, amendment of MCR 7.217(D), effective September 1, 2003, reduced from 56 to 21 days the time for seeking relief from an involuntary dismissal of an appeal by the Court of Appeals. This change corresponds to the 21 days allowed appointed counsel to move under MCR 7.215(I) for reconsideration of an order involuntarily remanding a case to the trial court for the appointment of substitute counsel. See Court of Appeals IOP 7.217(C) and IOP 7.217(D).

The staff comment is published only for the benefit of the bench and bar and is not an authoritative construction by the Court.



I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 17, 2003 Corbin R. Davis

Clerk